

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARLOS PRADA and
JORGE E. CHARRY,

Defendants.

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8:16CR245

ORDER

This matter is before the court on the motion for an extension of time by defendant Jorge E. Charry (Charry) (Filing No. 24). Charry seeks additional time in which to file pretrial motions in accordance with the progression order. Charry's counsel represents that Charry will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Charry's counsel represents that government's counsel has no objection to the motion. Defendant Carlos Prada has made an oral motion to join in Charry's motion. Upon consideration, the motions will be granted.

IT IS ORDERED:

Defendant Charry's motion for an extension of time (Filing No. 24) and Prada's oral motion are granted. Both defendants are given until **on or before October 13, 2016**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., **the time between September 15, 2016, and October 13, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 15th day of September, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge